

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARCEL D. FORD,

Plaintiff,

v.

KERN VALLEY STATE PRISON, et al.,

Defendants.

No. 1:23-cv-01603 GSA (PC)

ORDER TO SHOW CAUSE WHY MATTER
SHOULD NOT BE DISMISSED FOR
FAILURE TO OBEY COURT ORDER

(ECF No. 3)

PLAINTIFF'S RESPONSE TO THE
SHOWING OF CAUSE OR, IN THE
ALTERNATIVE HIS FILING OF AN IN
FORMA PAUPERIS APPLICATION, OR
PAYMENT OF THE FILING FEE IN FULL IS
DUE **MARCH 1, 2024**

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. ECF No. 1. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 15, 2023, Plaintiff was ordered either to submit an application to proceed in forma pauperis or to pay the filing fee in full. ECF No. 3. He was given forty-five days to do so. See id.

More than forty-five days has now passed and Plaintiff has neither complied with the Court's order nor requested an extension of time to do so. Therefore, Plaintiff will be ordered to show cause why this matter should not be dismissed. Plaintiff will be given thirty days to file the

1 showing of cause. In the alternative, Plaintiff may either file a properly completed in forma
2 pauperis application or pay the filing fee in full within the same thirty-day period.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff shall show cause why this matter should not be dismissed for failure to obey a
5 court order;

6 2. Plaintiff's showing of cause shall be filed no later than **March 1, 2024**, and

7 3. As an alternative to filing the showing of cause, Plaintiff may either file a properly
8 completed application to proceed in forma pauperis or pay the filing fee in full by **March 1, 2024**.

9 **Plaintiff is informed that absent exigent circumstances, a request for an extension of**
10 **time to comply with this order will not be granted.**

11
12
13 IT IS SO ORDERED.

14 Dated: **January 31, 2024**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE